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NOTICE OF ALLOWANCE AND FEE(S) DUE

22801 7590 09/21/2009

LEE & HAYES, PLLC
601 W. RIVERSIDE AVENUE
SUITE 1400
SPOKANE, WA 99201

EXAMINER

QUELER, ADAM M

ART UNIT

PAPER NUMBER

2178

DATE MAILED: 09/21/2009

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/759,445	01/14/2004	Eric R. Soldan	MS1-1790US	7839

TITLE OF INVENTION: HIERARCHICAL BIT STREAM MARKUP COMPILATION AND RENDERING

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$0	\$0	\$1510	12/21/2009

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. **PROSECUTION ON THE MERITS IS CLOSED.** THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN **THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE** OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. **THIS STATUTORY PERIOD CANNOT BE EXTENDED.** SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail** **Mail Stop ISSUE FEE**
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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

22801 7590 09/21/2009

LEE & HAYES, PLLC
 601 W. RIVERSIDE AVENUE
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Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

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nonprovisional	NO	\$1510	\$0	\$0	\$1510	12/21/2009

EXAMINER	ART UNIT	CLASS-SUBCLASS
QUELER, ADAM M	2178	715-513000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a **Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 _____
 (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 _____
 3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
☐ Publication Fee (No small entity discount permitted)
☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____ Date _____
 Typed or printed name _____ Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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LEE & HAYES, PLLC 601 W. RIVERSIDE AVENUE SUITE 1400 SPOKANE, WA 99201			QUELLER, ADAM M	
			ART UNIT	PAPER NUMBER
			2178	
DATE MAILED: 09/21/2009				

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 348 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 348 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Notice of Allowability

Application No.

10/759,445

Examiner

Adam M. Queler

Applicant(s)

SOLDAN ET AL.

Art Unit

2178

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed 7/15/2009.
2. ☒ The allowed claim(s) is/are 1,3-6,8,10,12-15,22 and 24.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Elizabeth Zehr on 9/15/09.

The application has been amended as follows:

1. (Currently Amended) A method of compiling formatted video content into a binary format, comprising:
receiving a formatted video content, the formatted video content comprising Extensible Hypertext Markup Language (XHTML) with Cascading Style Sheets (CSS), the formatted video content including a plurality of display objects, each display object having one or more conditions; ~~and~~
processing the formatted video content with a process that is specific to the format of the video content by pre-cascading the CSS with the XHTML to generate one or more rendering-style records for each of the one or more conditions of each display object, wherein one or more types of interactive input can be the one or more conditions upon which the rendering-style record for each display object is generated; ~~and~~
compiling the processed video content via a routine specific to a predetermined client to create one or more serialized binary bit streams corresponding to the video content, wherein the serialized binary bit streams preserves the conditions of each display object.
2. (Canceled).
3. (Previously Presented) The method as defined in Claim 1, wherein:
the formatted video content includes source content in one or more formats selected from a group consisting of an original markup language, a word processing document format, a spreadsheet format, a slideshow format, a database format, a drawing format, and an electronic mail (email) format.
4. (Previously Presented) The method as defined in Claim 1, further comprising:
translating the video content in the binary format with a document object model into a document object model hierarchy corresponding to the video content;

gathering each different style of translated video content based on different pseudo-class selectors; and

presenting the gathered video content at the predetermined client using the document object model hierarchy.

5. (Previously Presented) The method as defined in Claim 4, wherein the formatted video content includes an original markup language, wherein the presenting the gathered video content includes presenting the layout, rendering, UI interaction, and dynamic aspects of the video content from the original markup language, and wherein the presented gathered video content includes form elements, scrolling, navigation, and event handling defined in the video content from the original markup language.

6. (Previously Presented) The method as defined in Claim 4, wherein the presenting further comprises reflowing inline elements within a shape consistent with a predetermined display resolution and size.

7. (Canceled).

8. (Currently Amended) The method as defined in Claim 1, wherein the processing the formatted video content ~~with a client-specific routine to convert the formatted video content to binary data includes applying~~ applies styling nodes to each of the elements of the formatted video content, wherein the elements of the formatted video content which have similar styling are applied to the same styling node.

9. (Canceled).

10. (Currently Amended) A computer storage medium storing instructions that when executed cause one or more processors to:

~~receiving-receive~~ a formatted video content, the formatted video content comprising Extensible Hypertext Markup Language (XHTML) with Cascading Style Sheets (CSS), the formatted video content including a plurality of display objects, each display object having one or more conditions;

process the formatted video content with a process that is specific to the format of the video content by pre-cascading[[c]] the CSS with the XHTML, via a first routine specific to the format of the video content, to generate one or more rendering-style records for each of the one or more conditions of each display object, wherein one or more types of interactive input can be the one or more conditions upon which the rendering-style record for each display object is generated;

compile the processed video content with a second routine, wherein the second routine is a client-specific routine specific to a predetermined client, the client-specific routine to create one or more serialized binary bit streams corresponding to the video content, wherein the serialized binary bit streams preserves the one or more conditions upon which the rendering-style record for each display object is generated ~~user interface interaction elements of the video content;~~ and

transmit, via a head-end in a transmission over a satellite/Cable TV (CATV) network, the one or more serialized binary bit streams to the predetermined client.

11. (Canceled).

12. (Previously Presented) The computer storage medium as defined in Claim 10, wherein the instructions, when executed cause the one or more processors to further:

translate the one or more serialized binary bit streams into a document object model hierarchy corresponding to the video content; and
present the translated video content using the document object model hierarchy.

13. (Previously Presented) The computer storage medium as defined in Claim 12, wherein the present the translated video content includes presenting_form elements, scrolling, navigation, and event handling defined in the video content .

14. (Previously Presented) The computer storage medium as defined in Claim 13, wherein:

the video content includes inline images and a shape within which the inline images is to be placed during the presenting; and
the present the translated video content includes_reflowing the text within the shape consistent with a predetermined display resolution and size.

15. (Currently Amended) The computer storage medium as defined in Claim 10, wherein the video content is in an original markup language ~~comprising XHTML+CSS.~~

16-21. (Cancelled)

22. (Currently Amended) A Multiple System Operation system (MSO), comprising:

storage for video content in an original markup language that includes layout, rendering, UI interaction, and dynamic aspects of the video content,

wherein the video content comprises Extensible Hypertext Markup Language (XHTML) with Cascading Style Sheets (CSS) and includes a plurality of display objects, each display object having one or more conditions; and

one or more headends each having one or more servers, wherein each server includes a compiler to:

compile the processed video content in the original markup language into video content with a routine specific to a predetermined client to create one or more serialized binary bit streams corresponding to the video content, wherein the serialized binary bit streams preserves in a binary format that includes the layout, rendering, UI interaction, and dynamic aspects of the video content from the original markup language, the compiler to (1) determine a

~~client-specific routine specific for a predetermined client for rendering the video content in the binary format to be consistent with the original markup language, and to (2) process the video content in the original markup language with (a) a markup-specific routine that is specific to the original markup language, and (b) the client-specific routine determined via the compiler of the server, wherein the compiler processes the video content via a markup-specific routine pre-easades the original markup language to generate one or more rendering-style records for each of the one or more conditions of each display object, wherein one or more types of interactive input can be the one or more conditions upon which the rendering-style record for each display object is generated.~~

23. (Canceled).

24.(Original) The MSO as defined in Claim 22, wherein each of said headends is to broadcast on a network selected from the group consisting of:

- a cable television broadcasting network;
- a satellite television broadcasting network;
- an air wave broadcasting television network;
- a local area network;
- a wide area network; and
- the Internet.

25-41. (Canceled).

2. The following is an examiner's statement of reasons for allowance: The addition of the CSS generated rendering records to the binary bit stream for the conditions of interactive input (e.g., CSS pseudo-classes), in combination with other claimed limitations is not taught or suggested in the prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Adam M. Queler whose telephone number is (571)272-4140. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Adam M Queler/
Primary Examiner, Art Unit 2178